

August 15, 2006

August Fifteenth

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The second regular August Meeting of Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., John C. Hamlin, T. David Luther, T. Wayne Oakes, Vice-Mayor Sherman M. Saunders, Adam J. Tomer, and Mayor R. Wayne Williams, Jr. (9).

Staff Members present were City Manager Jerry L. Gwaltney, Assistant City Manager for Utilities Joseph C. King, City Attorney W. Clarke Whitfield, Jr., Assistant City Attorney John C. Blair, III, and City Clerk/Clerk of the Council Annette Y. Crane, CMC.

Other Staff members present were Transportation Services Director Marc Adelman, Human Services Director Gwendolyn Edwards, Finance Director Barbara Dameron, Community Development Director Jerry Fischer, Planning Director Ken Gillie, Information Technology Director Kerry Goode, Housing and Development Director Dianne Morris, and Management Analyst David Parrish.

Mayor Williams presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Wayne Oakes offered the Invocation. The Pledge of Allegiance to the Flag followed.

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Mayor Williams recognized Danville Area Alzheimers Association Community Relations and Education Coordinator Sandra Blair. Dr. Williams proclaimed August 19, 2006 as "Alzheimer Awareness Day" and presented the Certificate of Proclamation to Mrs. Blair. She thanked Mayor Williams on behalf of the 2,400 citizens living with Alzheimers in Danville.

MINUTES

Upon Motion by Council Member Luther and second by Council Member Hamlin, Minutes of the August 1, 2006 Meeting of Danville City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Tomer, and Williams (9)
NAY: None (0).

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BUDGET ADOPTION - FY 2006-2007 - AVIATION MAINTENANCE GRANT FUNDS

Upon Motion by Council Member Hamlin and second by Council Member Archie, Ordinance No. 2006-08.03 presented by its First Reading on August 1, 2006 amending the Fiscal Year 2006-2007 Budget Appropriation Ordinance to provide for State Department of Aviation Maintenance Grant Funds for maintenance of certain Airport properties in the amount of \$100,000 and for the Local Share in the amount of \$125,000 and appropriating same was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Tomer, and Williams (9)
NAY: None (0).

BUDGET ADOPTION - FY 2006-2007 - HEALTH DEPARTMENT IMPROVEMENTS

Upon Motion by Council Member Daniels and second by Council Member Tomer, Ordinance No. 2006-08.04 presented by its First Reading on August 1, 2006 amending the Fiscal Year 2006-2007 Budget Appropriation Ordinance by anticipating revenues from the Virginia Department of Health for building improvements at the local Health Department Office in the amount of \$65,191 and appropriating same was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Tomer, and Williams (9)
NAY: None (0).

HEARING - CONVEY CERTAIN CITY-OWNED SURPLUS PROPERTY

Mayor Williams opened the floor for a Public Hearing to consider the sale of surplus property located in a triangle bounded by Arnett Boulevard, Sherwood Drive/Locust Lane and Sunset Place to Rivermont Baptist Church. Notice of the Public Hearing had been duly published in the Danville Register and Bee on August 1 and 8, 2006. No one present desired to be heard and the Public Hearing was closed.

Council Member Castiglione moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-08.07

AN ORDINANCE DECLARING CERTAIN CITY OWNED PROPERTY TO BE SURPLUS TO THE NEEDS OF THE CITY AND AUTHORIZING THE CITY MANAGER TO CONVEY SUCH PROPERTY.

Council Member Oakes seconded the Motion.

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Statement of Conflict of Interest

I, E. Stokes Daniels, Jr. does hereby state that I have a conflict of interest regarding the property identified in Agenda Item VIII (A) concerning the approval of sale of surplus property to Rivermont Baptist Church. Therefore, pursuant to the State and Local Government Conflict of Interest Act, Virginia Code Section 2.2-3112, I must abstain from voting on this agenda item.

Signed/E. Stokes Daniels, Jr.

The Ordinance was adopted by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Hamlin, Luther, Oakes, Saunders,
Tomer, and Williams (8)
NAY: None (0)
ABSTAIN: Daniels (1).

AMEND YEAR 2020 LAND USE PLAN - 41.647 ACRES - DEER RUN ROAD

Mayor Williams reminded Council this item had been tabled during the July 18, 2006 Council Meeting at the request of the applicant Madison Whittle and Mr. Whittle was again requesting the matter to be tabled.

Council Member Hamlin requested the next time the issue is to come before Council that the Public Hearing be readvertised and the adjacent residents be again notified by mail of the rezoning request. Mayor Williams agreed and Planning Director Ken Gillie noted the request.

Council Member Hamlin moved to **TABLE** indefinitely an Ordinance amending the Year 2020 Land Use plan from Attached and Mixed Residential, Retirement Housing/Elderly and Assisted Living and Office/Professional/Transitional to Community Service Commercial and rezoning from PS-C Planned Shopping Center to "Conditional" HR-C Highway Retail Commercial District, approximately 41.647 acres of a 62.302 acre tract located on Deer Run Road, Pineview Drive, and Churchview Drive.

Council Member Archie seconded the Motion.

Council Member Luther stated his dismay that the matter was once again being deferred and on such short notice from the applicant. Mr. Luther requested that maps relating to this issue be similar to the one Council Members had received on another agenda item for a recent meeting. He stated he has had difficulty reading some maps on the computer. Planning Director Ken Gillie agreed to provide the maps.

Council Mr. Saunders stated Council had the right to know why this matter was being held up. In response to Mr. Saunders, City Manager Gwaltney advised he would be meeting with the planning

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staff and Mr. Whittle to ascertain why there had been two requests to table the matter. Mr. Gwaltney stated that he would also request payment from the applicant for readvertising and mailing costs.

Council Member Daniels stated citizens in the area of the requested rezoning are very concerned about the traffic increase that would occur with the construction of another office complex and would like closure on this matter within the next 30 days.

The Motion to TABLE indefinitely carried by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Tomer, and Williams (9)
NAY: None (0).

BUDGET AMENDMENT - FY 2006-2007 - UDAG REPAYMENT FUND PROJECTS

Upon Motion by Council Member Castiglione and second by Council Member Hamlin, an Ordinance entitled:

ORDINANCE NO. 2006-08.08

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE FOR PROJECTS TO BE UNDERTAKEN WITHIN THE CITY TO BE FINANCED THROUGH THE URBAN DEVELOPMENT ACTION GRANT (UDAG) REPAYMENT AND INTEREST INCOME PROGRAM TO PROVIDE ADDITIONAL PROGRAM FUNDS

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT - FY 2006-2007 - KLAFF SITE PROJECT FUNDS

Upon Motion by Council Member Luther and second by Council Member Archie, an Ordinance entitled:

ORDINANCE NO. 2006-08.09

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM COMMUNITY REVITALIZATION COMMISSION IN THE AMOUNT OF \$400,000, TOBACCO INDEMNIFICATION FUNDS IN THE AMOUNT OF \$182,453 AND LOCAL SHARE IN THE AMOUNT OF \$145,613 TO BE TRANSFERRED FROM THE TRAIL DEVELOPMENT PROJECT (TEA-21 FUNDS) FOR SITE IMPROVEMENTS AT THE KLAFF SITE PROJECT FOR TOTAL PROJECT COST OF \$728,066 AND APPROPRIATING SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

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BUDGET AMENDMENT-FY 2006-2007-CROSSING AT THE DAN/TRAIL PROJECTS

Upon Motion by Council Member Archie and second by Council Member Daniels, an Ordinance entitled:

ORDINANCE NO. 2006-08.10

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE FOR GRANTS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$250,000 AND LOCAL SHARE IN THE AMOUNT OF \$62,500 TO PROVIDE FOR SITE IMPROVEMENTS AT THE CROSSING AT THE DAN (\$156,250) AND TRAIL DEVELOPMENT PROJECTS FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$312,500

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT-FY 2006-2007-INDEPENDENT LIVING PROGRAM FUNDS

Upon Motion by Council Member Castiglione and second by Council Member Oakes, an Ordinance entitled:

ORDINANCE NO. 2006-08.11

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE DUE TO ANTICIPATING FUNDS FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES IN THE AMOUNT OF \$8,465 FOR AN INDEPENDENT LIVING PROGRAM

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT-FY 2006-2007 - CHILD DAY CARE QUALITY INITIATIVE

Upon Motion by Council Member Archie and second by Council Member Hamlin, an Ordinance entitled:

ORDINANCE NO. 2006-08.12

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE BY ANTICIPATING FUNDS IN THE AMOUNT OF \$9,307 FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES FOR A CHILD DAY CARE QUALITY INITIATIVE PROGRAM

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUILDING BLOCKS - COMMUNITY INVESTMENT SERVICES PROGRAMS

Council Member Castiglione moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-08.04

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A RESOLUTION AUTHORIZING PARTICIPATION BY THE CITY OF DANVILLE, SPECIFICALLY "BUILDING BLOCKS," IN THE COMMUNITY INVESTMENT SERVICES PROGRAMS OF FEDERAL HOME LOAN BANK OF ATLANTA.

The Motion was seconded by Council Member Hamlin and carried by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Tomer, and Williams (9)
NAY: None (0).

COMMUNICATIONS

There were no communications from the City Manager, City Attorney and City Clerk.

ROLL CALL

Council Member Castiglione stated DCC would be starting classes on August 21. He advised the summer classes included over 350 Trade Act students, who had lost jobs and were retraining. He said DCC officials had projected that number would increase in the fall.

Council Member Hamlin called attention to the *Piedmont* Magazine, which had been placed at the desk of each Council Member. The magazine contained several articles about Danville.

Council Member Luther called attention to a communication from ComCast stating they had closed the deal with Adelphia Cable.

Mr. Luther said he understood the North Carolina Legislature was debating about where to place some of its road funds for upgrading road systems. He said perhaps this should be discussed during a Council Work Session since it might be appropriate for Council to pass a Resolution supporting the dual laning of Route 86 from Danville to Yanceyville. He said there were a number of residents in that area who worked in Danville and traveled Route 86 enroute to work. With the addition of new jobs coming to Danville, he felt the dual laning would be very beneficial. Mr. Luther advised the LifePoint Hospital Board had adopted a Resolution supporting the dual laning and thought it might be good for Council to do the same. City Manager Gwaltney agreed to place this matter on a Work Session agenda.

Vice-Mayor Saunders said everyone was aware of the high employment in our region and also knew about the 4,000 plus jobs that had been announced that would be filled over the next two or three years. He said there were immediate needs while waiting for those jobs to be filled. Mr. Saunders said it was learned today that over 500 more jobs would be lost with the closing of the Burlington plant in Hurt. The region is experiencing families who have more immediate, long-term, and short-term needs. Mr.

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Saunders said he felt it would be helpful to revisit the short-term needs. There are more requests for help than ever before from the elderly and families for food and utilities. He said it behooved the City and the public and private sectors to come together to go over plans to help with some of these immediate needs.

Mr. Luther said he hoped everyone would send a little extra in their utility bills to assist with some of the utility needs. He thanked the administration for spearheading the Neighbors Helping Neighbors program. City Manager Gwaltney reported around \$3,000 had been received for the program to date.

Council Member Tomer said winter was fast approaching and expressed concern for Danville's senior and disabled citizens. He said he did not believe the Neighbors Helping Neighbors program was enough to combat the problem of high utility bills. He asked those who had few to assist those who had fewer. Mr. Tomer stated he did not take the needs of these citizens lightly and asked that the topic be placed on a Council Work Session for discussion.

Mayor Williams said no doubt these issues were very complicated ones that needed Council's attention. He said there was no easy solution and felt discussion in a Work Session was a very worthwhile idea.

Upon unanimous voice vote, the Meeting adjourned at 7:48 P.M.

MAYOR

CLERK